

Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

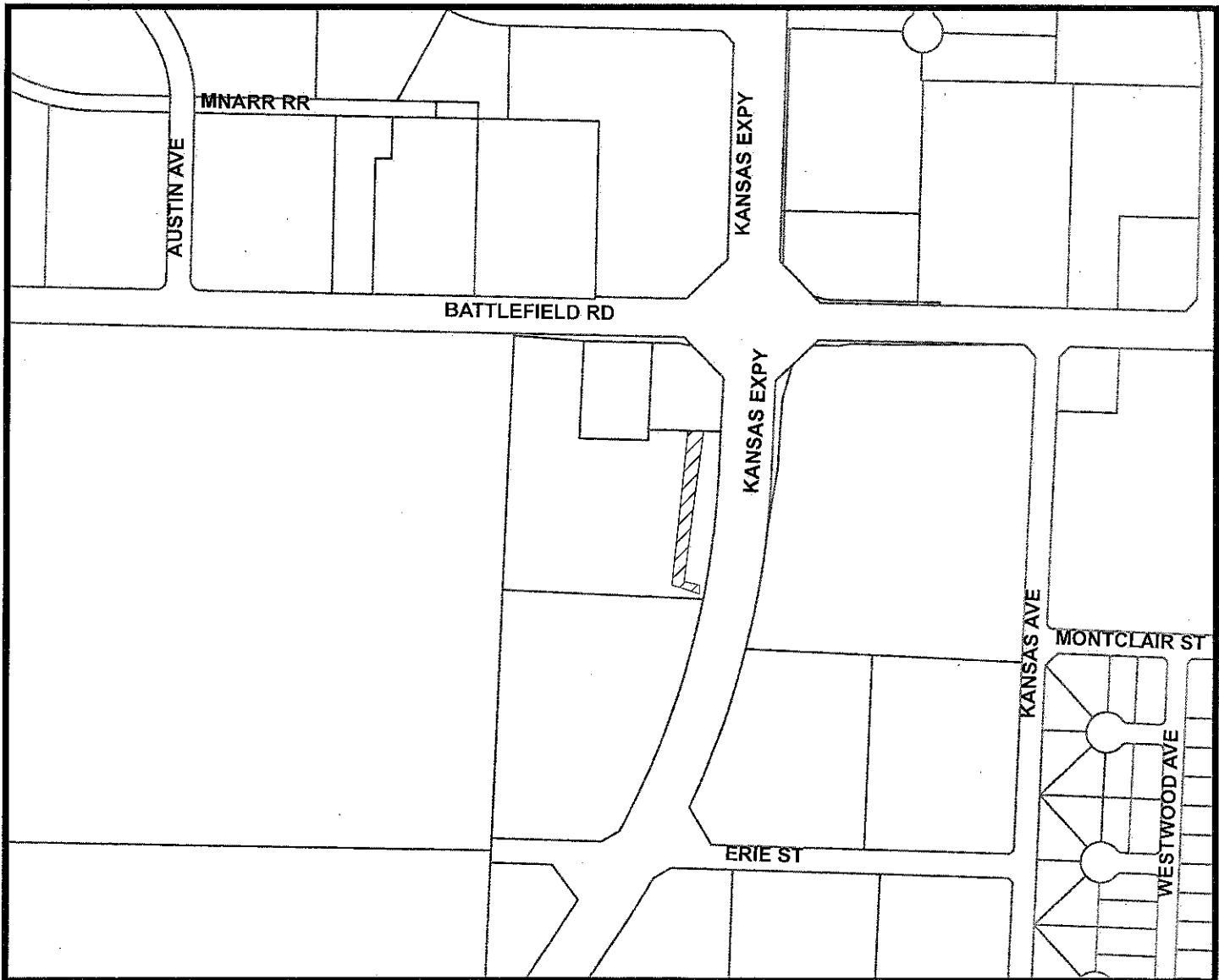
Relinquish Easement 742

Location: 3003 South Kansas Expressway

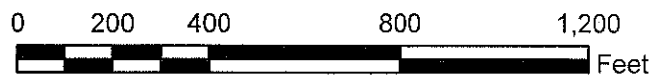
Current Zoning: GR, General Retail

Proposed Zoning: N/A

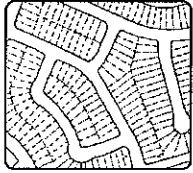
LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet



Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611

840 Boonville Avenue ~ Springfield, Missouri 65801

REQUEST TO RELINQUISH EASEMENT NUMBER 742

DATE: October 29, 2009

PURPOSE: To relinquish an access easement

BACKGROUND:

LOCATION: 3003 South Kansas Expressway

APPLICANT: Pennock Development LLC Etal

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

Attachment A: Background report

Attachment B: Approval criteria

Exhibit 1: Legal description

Exhibit 2: Drawing of the site

ATTACHMENT A
RELINQUISH EASEMENT NO. 742
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an access easement and provide a replacement easement.

SANITARY SERVICES COMMENTS:

No objection to relinquishing the access easement.

CITY UTILITIES

City Utilities has no objection to relinquishing the access easement.

STORM-WATER COMMENTS:

Relinquishment of this easement does not impact storm water.

TRAFFIC ENGINEERING COMMENTS:

Replacement easement is acceptable to Traffic Engineering.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect utilities.
2. The existing access easement does not accurately reflect the existing driveway on the property. The applicant is requesting to relinquish the existing access easement and replace with a new easement that more accurately reflects the existing development on the site.
3. No one has objected to this request.

ATTACHMENT B
RELINQUISH EASEMENT NO. 742
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of these easements.

STAFF RESPONSE:

No one has objected to the relinquishment of this access easement.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide utility service.

STAFF RESPONSE:

The access easement is being replaced with a new easement.

3. That the retention of the easement no longer serves any useful public purpose.

STAFF RESPONSE:

The retention of the subject easement will not be needed now that a new easement is being provided.

RELINQUISH EASEMENT NO. 742
EXHIBIT 1

DESCRIPTION OF EASEMENT TO BE RELINQUISHED:

A tract of land located in Section 3, Township 28 North, Range 22 West and being a part of Tract 2 of City of Springfield Minor Subdivision MS-3047 and being more particularly described as follows:

BEGINNING at the southeast corner of Tract 2 of said Minor Subdivision MS-3047;

THENCE along the south line of said Tract 2, North 87 degrees 34 minutes 52 seconds West a distance of 42.43 feet to a point for corner;

THENCE North 42 degrees 33 minutes 23 seconds West a distance of 16.20 feet to a point on a curve;

THENCE along a non-tangent curve to the left having a radius of 1,978.41 feet, a delta of 08 degrees 51 minutes 42 seconds, an arc length of 305.99 feet, and a chord which bears North 06 degrees 55 minutes 47 seconds East having a chord distance of 305.68 feet to a point for corner;

THENCE North 02 degrees 17 minutes 00 seconds East a distance of 97.76 feet to a point on the north line of said Tract 2 for corner;

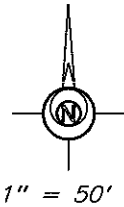
THENCE along the north line of said Tract 2, South 89 degrees 23 minutes 21 seconds East a distance of 55.02 feet to an existing iron pin at the intersection of said north line and the west right of way of Kansas Expressway.

THENCE along said west right of way, South 02 degrees 17 minutes 00 seconds West a distance of 99.57 feet to a point on a curve;

THENCE continuing along said west right of way along a non-tangent curve to the right having a radius of 2,033.41 feet, a delta of 08 degrees 56 minutes 40 seconds, an arc length of 317.44 feet, and a chord which bears South 06 degrees 58 minutes 16 seconds West having a chord distance of 317.11 feet to the POINT OF BEGINNING, and containing 22,813.80 square feet or 0.5237 acre(s) of land, excepting any part thereof previously relinquished by Relinquish Easement Number 576 and recorded in Book 2796 at Page 1432.

Easement Relinquishment Exhibit

(this is not a property boundary survey)

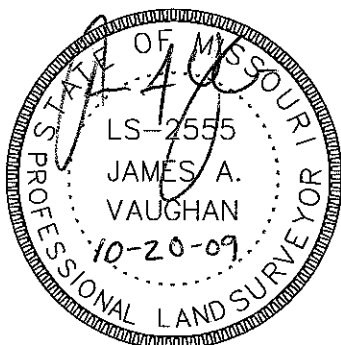


Tract 2
MS-3047

course table

COURSE	BEARING	DISTANCE
1	N 87°34' 52" W	42.43'
2	N 42°33' 23" W	16.20'
3 - LC	N 06°55' 47" E	305.68'
4	N 02°17' 00" E	97.76'
5	S 89°23' 21" E	55.02'
6	S 02°17' 00" W	99.57'
7 - LC	S 06°58' 16" W	317.11'

CURVE	RADIUS	ARC LENGTH
3	1,978.41'	305.99'
7	2,033.41'	317.44'



shaded
30' Access Easement
Book 2080 Page 73

hatched
30' platted
access easement

point of beginning
southeast corner
Tract 2
Minor Subdivision MS-3047

Lot 2
Battlefield West Subdivision

Exhibit 2
RE 742

